

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>AXIS CONSTRUCTION CORP.,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>LANDMARK BUILDING SYSTEMS,</b>	:	
<b>INC., et al.</b>	:	<b>No. 02-3017</b>
<b>Defendants.</b>	:	

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**ORDER**

**AND NOW**, this        day of **January, 2003**, following a conference with counsel for the parties, it is hereby **ORDERED** that:

1. By agreement of the parties, this matter shall be tried without a jury.
2. Paragraph 11 of the Court's Scheduling Order of November 18, 2002 is amended to state as follows: "A bench trial in the above captioned case is set for **Thursday, April 17, 2003 at 8:30 a.m.** in Courtroom 5C to commence upon completion or other disposition of *Smith v. The CIT Group*, E.D. Pa. Docket No. 01-1714." Pursuant to Paragraph 9 of the Court's Scheduling Order of November 18, 2002, proposed findings of fact and conclusions of law, with courtesy copies submitted to chambers in hard copy form and on disk (in Word Perfect 9 format, if possible), are due by the time of the Final Pretrial Conference.
3. Paragraph 6 of the Court's Scheduling Oder of November 18, 2002 is amended to state as follows: "A Final Pretrial Conference will be held on **Tuesday, April 1, 2003 at 8:30 a.m.**"

4. In all other respects, the Court's Scheduling Order of November 18, 2002 shall remain in effect unless otherwise ordered by the Court.

**BY THE COURT:**

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**Berle M. Schiller, J.**